

RI Water Resources Board
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MINUTES OF BOARD MEETING #430
October 12, 2004 12:00PM

Members Present: Members Absent:

Daniel W. Varin, Chairman Rep. William Murphy

William Penn, V. Chairman

Timothy Brown

Robert Griffith*

John Milano

William Parsons*

Jon Schock

William Stamp, III

Alicia Good*

Frank Perry*

June Swallow*

Sen. Leonidas Raptakis *Member designee

Staff Present:

Kathleen Crawley

Elaine Maguire

Connie McGreavy

Brian Riggs

Tracy Shields

Thomas Walker

William Riverso

Guests:

Pasquale DeLise, BCWA

1. CALL TO ORDER

With a quorum present, Chairman Varin called the meeting to order at 12:08 PM.

2. APPROVAL OF MINUTES:

On motion by Mr. Penn, second by Mr. Griffith, the Board

unanimously approved the minutes of the Sept. 14, 2004 Board Meeting.

3. CHIEF BUSINESS OFFICER'S REPORT

Mr. Schock stated that the Finance Committee reviewed the report and recommended approval. He stated that the Board is down from prior years on Year-To-Date surcharge revenues for the .01664 program due to the wet weather. The change will not affect the Board's budget. On a motion by Mr. Schock, seconded by Mr. Milano, the Board unanimously approved the Chief Business Officer's Report dated September 2004.

4. CHAIRMAN'S REMARKS

Chairman Varin read a greeting of thanks from former General Manager, M. Paul Sams who was appreciative of Board members' efforts during his tenure. Mr. Varin mentioned that Mr. Milano, board member, is resigning effective December 31, 2004. Mr. Varin distributed Mr. Milano's resignation letter. Mr. Varin then stated that Mr. Pisatoro, attorney for a BRMA tenant, might wish to address the Board, but that he was not yet present. He added that the Acting General Manager, with legal counsel's advice, drafted a letter that stated that this matter is no longer before the Board. Mr. Varin next explained that the Board apparently has not been successful in explaining the water management/water allocation program as evidenced by an article that appeared in the RI Farm Bureau newsletter. Mr. Varin stated that he would respond.

5. GENERAL MANAGER'S REPORT

Ms. Crawley reported the Water Allocation Program Implementation Team met in October following a September meeting of the technical committee. The goals for December are to more clearly define the water management system for the state and develop guidance for local communities, suppliers and watersheds. Outreach included attendance at the Statewide Planning Program's Technical Committee meeting to coordinate with the Land Use Plan Update, and public presentations to the Woonasquatucket Watershed Council and the Friends of East Greenwich Library. These presentations provided an opportunity to update in house conservation, watershed planning and management information for future public presentations to other general audiences.

The Water System Supply Management Planning Program under Ms. Beverly O'Keefe is moving forward. Approval of the last Water Supply System Management Plan (WSSMP) and two 30-month updates are pending. Also, the Board's legal counsel revised the internal security protocol for WSSMPs. Ms. O'Keefe will attend the Governor's Summit on Emergency Preparedness at the Naval War College. Mr. Will Riverso continues to manage the Groundwater Protection/Acquisition program focusing on a test well in Richmond. Mr. Riverso has been contacted by a landowner regarding wells located on the Tuckahoe Turf Farm; negotiations may proceed pending the outcome of the November bond referendum. Staff continues to work with the RI

Department of Environmental Management (DEM), The Nature Conservancy and other partners to promote the open space referendum. Staff is also coordinating with members of the RI Water Works Association to promote the open space and emergency interconnection bond referenda. The Providence Journal, the RI Public Expenditures Council and Channel 36 have contacted the agency to provide public information on program goals and successes. Channel 36 will tape five-minute segments on various bond referenda. Campaign organizers have also conducted a poll to assess voter attitudes and DEM has developed a fact sheet.

Mr. Tom Walker continues to manage the Emergency Interconnection program; he is currently working on interconnections between South Kingstown and United Water as well as Lincoln and Cumberland. North Tiverton redesigned and readvertised the Stafford Road pumping station; bids are presently under review. The Supplemental Water Study Phase II is moving along. A monthly progress meeting was held and mapping has begun. Mr. Walker is working with Bristol County Water Authority regarding proposals for design of the Shad Factory Pipeline. The Board resolution passed last month affirming the need for the Shannock Water District was distributed to all interested parties. The Board Corporate's Watershed Protection Program has passed the midway mark. Suppliers have been reminded of the February 2006 deadline for land acquisitions.

Ms. Elaine Maguire continues to work with DEM on completing Phase

V of the selective cutting project and preparing a new Memorandum of Understanding for Phase VI. Ms. Maguire is overseeing two evictions in the Big River Management Area (BRMA) and the AMGEN parking facility closeout-all. ESS Group is moving forward on the water supply database project; the newly available USGS study is posted on the website. Ms. McGreavy continues to update the website and coordinate postings and filing in preparation for the audit. A staff meeting with the Bureau of Audits is upcoming; the Board audit is scheduled to begin mid October.

Mr. Brian Riggs is in contact with the Budget Office regarding the FY 2005 and FY 2006 budget. That office is considering additional funds for lead assessments in BRMA and for stream gages. Mr. Riggs and I met with Jim Campbell and Lance Ramsbey of the US Geological Survey, as well as Henry Meyer of the Kingston Water District to tour the Chipuxet River watershed including the stream gage and water withdrawal locations. Future field trips may be arranged for potential funders, budget personnel and Board members as desired. The Woonasquatucket gage is nearby and presents an opportunity for budget analysts to understand the complexity and costs associated with this program. Mr. Campbell has offered to do a demonstration as necessary.

Mr. Penn asked when the last time the Board was audited. Mr. Varin answered that audits of the Board are done every three years by the state Bureau of Audits; the Board Corporate is audited yearly.

6. COMMITTEE REPORTS AND ACTION ITEMS RESULTING

A. Public Drinking Water Protection Committee—Chair Robert Griffith

(1) Supplemental Water Supply Study Phase II

(a) Maguire Group Invoice #3—Payment Requested: \$19,607.81; Recommended payment: \$19,607.81. Request for Approval

Mr. Griffith moved to approve the payment, seconded by Mr. Parsons.

Mr. Penn asked if the percentage complete was 95% versus 9.5%. Mr. Varin indicated the 9.5% was correct. Mr. Schock indicated that the Finance Committee approved the payment. The motion carried unanimously.

(2) Water Supply Systems Management Plans (WSSMP)

(a) Portsmouth Water District —WSSMP Request for Approval

Mr. Griffith explained the request and moved to approve the WSSMP with Mr. Stamp seconding. The motion carried unanimously.

(b) Pawtucket Water Supply Board —WSSMP 30-Month Interim Report. Request for Approval

Mr. Griffith stated that the original plan was approved under an earlier version of the program that did not require a drought management

plan. Pawtucket has since provided an outline for a drought plan and requested assistance in developing it. Mr. Griffith indicated that staff would assist, and that otherwise, the plan complies with program objectives. Mr. Griffith moved to approve the WSSMP with Mr. Perry seconding. The motion carried unanimously.

**(c) Warwick Water Department —WSSMP 30-Month Interim Report.
Request for Approval**

Mr. Griffith stated that Warwick requested a 60-day time extension from the original due date of November 9, 2004 to Jan 10, 2005. He added that the Board's practice is to grant an extension upon request the first time it is asked. Mr. Griffith was assured by staff that sixty days is all that is needed. Mr. Griffith moved to approve the WSSMP with Mr. Perry seconding. The motion carried unanimously.

**(d) Information and Coordination—Pascoag Utility District and
Harrisville Fire District**

Mr. Griffith stated that the two systems do not necessarily communicate. Pascoag and Harrisville need the Board's assistance in updating and synchronizing their WSSMPs and interim reports. Mr. Griffith added that it is a requirement for systems to do this and should be of mutual benefit. Mr. Griffith stated that once the WSSMPs and reports are submitted, there might be some difficulty in reconciling them. Mr. Varin explained that Mr. Sams tried to get the

two systems to merge when the wells became contaminated and Pascoag began obtaining all of its water from Harrisville. Mr. Griffith stated that no action was required on this item.

(3) Emergency Water Systems Interconnection Program

(a) East Smithfield Request to Activate

Mr. Griffith stated that E. Smithfield wished to activate its emergency interconnection to increase pressure to maintain adequate fire flows. Staff reviewed the regulations to determine whether E. Smithfield needed permission from the Board to activate the interconnection; they do not. This item was included for information purposes only.

B. Property Committee—Chair Frank Perry

Mr. Perry reported that the Committee did not meet in October.

C. Construction, Engineering and Operations Committee-Chair June Swallow

Ms. Swallow reported that the Committee did not meet in October.

D. Finance Committee—Chair William Penn

(Concurrent with Public Drinking Water Protection Committee)

Mr. Schock reported that there was no other business, outside of the Board Corporate agenda.

E. Legislative Committee—Chair Daniel W. Varin

Chairman Varin reported that the Committee did not meet in October.

F. Strategic Committee—Chair Daniel W. Varin

Chairman Varin reported that the Committee did not meet in October.

G. Personnel Committee—Chair Jon Schock

Mr. Schock reported that business would be handled under Item 11 in the agenda.

7. NEW BUSINESS - None

8. OTHER BUSINESS

(a) Shad Factory Briefing—Pasquale DeLise, Executive Director, Bristol County Water Authority

Mr. DeLise stated that an RFP was issued and five proposals were received. He stated that it was not easy to evaluate the proposals which ranged from \$60,000-\$200,000. Mr. DeLise has been working with Board staff and has narrowed the field to two top firms. There are still points in the proposals that need to be clarified; Mr. DeLise plans to make a final recommendation next month. He also expects the work will take approximately 120-180 days for design and permitting; construction will require another 6–8 months. Mr. Varin

asked if Mr. DeLise was confident that the work could get done for the \$2 million that was authorized. Mr. DeLise indicated that it could.

Ms. Swallow asked about plant startup. Mr. DeLise distributed a spreadsheet stating that some equipment had broken and that other things had gone wrong that were not anticipated. He expected that the plant would be ready to go in February. Currently, the plant is in closed loop operations during testing—water does not leave the plant. Mr. DeLise stated that \$510,000 worth of work has been done above and beyond the original scope. Mr. DeLise then referred to the spreadsheet and noted the last item on list was a 70-year old, high-service pump that had failed. A new pump was ordered in July and is due Oct. 15th. Mr. DeLise also explained that the Shad pipeline could only operate at 1 million gallons per day (GPD). Consequently, three other pieces of equipment could not operate at such a low pump rate, including a chlorine dioxide generator, which lowers trihalomethanes in the water. This pump is fairly new and was custom built. Mr. Stamp asked if Bristol County Water Authority had to increase rates. Mr. DeLise answered that rates went up in June by 9% and another 9% rate hike was planned in March of 2005 and a 7% increase in March of 2006. Mr. Stamp asked how equipment was monitored. Mr. DeLise stated that all equipment had been replaced except for the shell of the plant itself. All internal pipes and two internal valves were also replaced. Mr. DeLise reminded members that the plant was shut down in Dec. 2001 because it would not meet new EPA standards. Work began in October of 2002. Mr. DeLise was

hopeful that the plant would start by the end of the year, if not before.

Ms. Swallow mentioned that there were still some outstanding issues regarding the new standards, specifically the Disinfection Byproducts Rule and the Recycled Backwash Rule. These would need to be addressed before plant start up. Mr. DeLise responded that he had been in touch with Susan Robideau at the RI Dept. of Health. Ms. Swallow encouraged Mr. DeLise to avoid drinking water quality violations and submit plans for the chlorine unit. Mr. DeLise answered that the chlorine unit was already built and installed. Mr. Schock asked what the winter water demand would be. Mr. DeLise replied that the Shad pipeline is constrained to 1 million GPD and that he anticipated augmenting supply from the Providence system until the end of 2005 or early 2006 when the new plant would be fully operational. He clarified that the BCWA would probably require about 0.5MGD from Providence, because the local supply was not sufficient. In closing, Mr. DeLise urged everyone to vote Yes on Referendum Question #7 (emergency interconnection bond). He agreed to report monthly to the Board and added that he would request reimbursement for the \$510,000 in unanticipated expenses that were incurred.

9. RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

With no objection, Chairman Varin recessed the Board for Board Corporate Business at 12:45PM.

10. RETURN FROM BOARD CORPORATE BUSINESS

At 12:56PM, the Board returned from Board Corporate business.

11. OPEN CALL FOR EXECUTIVE SESSION IN ACCORDANCE WITH RIGL 42-46-5(a)(1) JOB PERFORMANCE

Mr. Varin referred members to agenda item #11, Open Call for Executive Session. He asked for a motion to go into Executive Session; Mr. Griffith moved the question with Mr. Penn seconding. Mr. Varin clarified that the vote must be by roll call. Mr. Brown was concerned noting his interpretation of the statute indicated that Executive Session was not required. Mr. Varin questioned, “What, review the qualifications of applicants; never been a question.” Mr. Brown Ms. Shields, Personnel Aide, stated that the action was cleared by the Office of Attorney General. Mr. Brown questioned whether this was a job performance issue and Ms. Shields responded that it was a job performance issue. Ms. Crawley said that the statute explicitly uses the word, “hiring” as well as others. Mr. Brown reiterated that it was not clearly stated in law. Mr. Varin asked for the roll call vote:

Mr. Griffith: Yes

Mr. Milano: Yes

Mr. Penn: Yes

Mr. Brown: No

Mr. Perry: No

Ms. Swallow: Yes

Ms. Good: Yes

Mr. Schock: Yes

Chairman: Yes

Mr. Stamp: Yes

Mr. Parsons: Yes

12. RETURN FROM EXECUTIVE SESSION

On a motion by Mr. Griffith, seconded by Ms. Swallow, the Board voted unanimously to forward the names of the three candidates interviewed to the Governor's Office.

On a motion by Mr. Griffith, seconded by Mr. Stamp, the Board voted to seal the minutes of the Executive Session until the personnel matter is completed. The Chairman noted Mr. Brown's opposition to this motion.

13. ADJOURNMENT

**On a motion by Mr. Griffith, seconded by Mr. Perry, the Board unanimously voted to adjourn at
2:45 P.M.**

Prepared by,

Connie McGreavy